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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/879,698	06/12/2001	Srinivas Gutta	701613	3765

24737 7590 11/02/2004

PHILIPS INTELLECTUAL PROPERTY & STANDARDS  
P.O. BOX 3001  
BRIARCLIFF MANOR, NY 10510

EXAMINER
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LAI, ANNE VIET NGA

ART UNIT	PAPER NUMBER
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2636

DATE MAILED: 11/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s) <b>8</b>	
	09/879,698	GUTTA ET AL.	
	Examiner	Art Unit	
	Anne V. Lai	2636	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 11 August 2004.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 October 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-3, 8, 10-14, 16 and 17-21 are rejected under 35 U.S.C. 102(e) as being anticipated by **Breed** [US. 2002/005778].

Regarding claims 1-3, **Breed** (figs. 1, 10, 15; paragraphs [0059], [0095], [0121], [0161], [0186], [0187], [0220]) discloses a system to detect, classify, identify and tracking an approaching vehicle including emergency vehicle (fire engine [0059]) from a secondary vehicle comprising:

at least one camera mounted on the secondary vehicle (five video cameras mounted at front, rear, top and two sides, 110-114 in fig. 1, [0161], and 734, 736, 738 in fig. 15, [0225], [0227]) for scanning, capturing frame images and mapping location of the approaching vehicle on a display surface mounted inside the secondary vehicle (video image data "icon image representation of identified vehicle" from the at least one camera is displayed on display surfaces 140, 145 in fig. 11, [0221]);

each camera comprises on chip electronic pan/tilt and zoom control ([0186]-[0187], motors [0169] ) for dynamic position tracking and providing enhanced view (high resolution [0121]) of the approaching vehicle (including the emergency vehicle [0059]).

Regarding claim 8, **Breed** ([0095], [0161], [0169], [0186], [0187]) discloses a detecting and tracking means for detecting and tracking an emergency vehicle [0059] displayed on the displayed surface (140, 145, fig. 11, [0221]) using on chip control pan/tilt and zoom.

Regarding claim 10, **Breed** ([0059], [0095], [0186], [0187]) discloses classification/identification means to classify and identify the emergency vehicle; and tracking means using on chip control pan/tilt and zoom to track the identified emergency vehicle.

Regarding claims 11-13, **Breed** ([0059], [0095], [0186], [0187]) discloses means for alerting a user of the secondary vehicle that an emergency vehicle has been identified in the video image data by displaying icon image representation of the emergency vehicle and orally annunciating the approaching of the emergency vehicle.

Regarding claims 14 and 17, **Breed** (figs. 1, 10, 15; paragraphs [0059], [0095], [0121], [0161], [0169], [0186], [0187], [0220], [0221]) discloses a system to detect, classify, identify, track and display video image data of an approaching vehicle including emergency vehicle (fire engine [0059]) from a secondary vehicle using at least a camera, a display surface mounted inside the secondary vehicle, a classification means, an identification means, and a tracking means.

Regarding claims 16 and 18, **Breed** ([0059], [0095], [0169], [0186], [0187]) discloses the operation of the tracking means is in connection with the on chip control pan/tilt and zoom motor to provide an enhanced view of the tracked vehicle (the emergency vehicle is included).

Regarding claims 19-21, **Breed** ([0059], [0095], [0186], [0187]) discloses means for alerting a user of the secondary vehicle that an emergency vehicle has been identified in the video image data by displaying icon representation of the emergency vehicle and orally annunciating the approaching of the emergency vehicle.

The applied reference has a common subject matter (vehicle detecting, classifying, identifying tracking and alerting) with the instant application. Based upon the earlier effective U.S. filing date of the reference, it constitutes prior art under 35 U.S.C. 102(e). This rejection under 35 U.S.C. 102(e) might be overcome either by a showing under 37 CFR 1.132 that any invention disclosed but not claimed in the reference was derived from the inventor of this application and is thus not the invention "by another," or by an appropriate showing under 37 CFR 1.131.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 4-6, 9 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Breed** in view of **Lee** [US. 5,680,123].

Regarding claims 4-6, **Lee** (abstract and col. 5, line 62 through col. 6, line 6) teaches the use of plural cameras mounted on various location (sides, rear and front) of a vehicle to monitor approaching vehicles; images captured from cameras are displayed together as a picture-in-picture or a split screen format; selection means including touch screen and on screen menu to provide selection of different viewing modes and functions; and the zoom function of the camera is controlled to provide an enhanced view (closer up view) of the selected display.

Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention was made to implement the display feature of **Lee** in **Breed** vehicle classifying and identification displaying system to provide an added feature and a convenient of use; one touch to a displayed icon representing an emergency vehicle would control the change of the viewing mode and zooming function, therefore enhancing the view of that particular selected vehicle.

5. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over **Breed** and **Lee** in view of **Strumolo** [US. 6,535,242].

Regarding claim 7, **Breed** and **Lee** camera system does not disclose input spoken command feature. **Strumolo** (abstract; col. 4, lines 19-28, 61-62; col. 5, lines 13-67) utilizes two pair of cameras mounted on a secondary vehicle to provide image recognition and identification approaching objects and vehicles. The control of the

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cameras comprises a speech recognition and command system for recognizing the spoken command by a user and for controlling at least one of the pan, tilt, and zoom motors of the cameras to enhance the resolution and imaging of remote objects.

Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention was made to implement the voice command feature of **Strumolo** vehicle recognition and identification system in the **Breed** and **Lee** vehicle classifying and identification system to provide an added feature and a convenient of use in controlling the tilt, pan and zoom of the selected cameras.

### ***Response to Arguments***

6. Applicant's arguments with respect to claims 1-21 have been considered but are not convincing:

**Breed** teaches the use of cameras to detect and identify an approaching vehicle, display the identity of the vehicle including particular vehicle such as a fire engine (emergency vehicle) [0059].

Breed does teach video image data of the camera is displayed in the vehicle as the claimed invention; in figure 11 and paragraph [0221], a display mounted on the instrument panel 145 and a heads-up display 140 both are mounted inside the vehicle; in paragraph [0134], a display visible to a driver of the vehicle for displaying feature or representations derived from features (icon) extracted from a 3-D map generated by the control processor from optical waves received by the camera (receiver means [0131]).  
The American Heritage Dictionary of the English Language: Fourth Edition, 2000)

defines an "icon" is an "image representation displayed on a screen, therefore the "icon" in Breed is a video image data from the camera. Although Breed prefers display the image icon of the feature instead of image of the feature received by the camera, however he opens the choice for user selecting feature display or icon display may be for the purpose of convenient of supply, cost or user design choice.

**Strumolo** suggests a plurality of cameras for detecting and identifying an approaching vehicle (col. 5, lines 43-64) comprising a display mounted within a vehicle (col. 2, lines 26-36) for displaying a 3-D image of the identified vehicle or displaying an iconographic representation of the identified vehicle (col. 5, line 65 through col. 6, line 11). Therefore the combination of **Strumolo** and **Breed** system is possible because both inventors open the choice for user selecting the display for the same purpose as above although the inventors may have particular preference.

The same reasoning is for the combination of **Breed** and **Lee** system.

### ***Conclusion***

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any



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extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anne V. Lai whose telephone number is 571-272-2974. The examiner can normally be reached on 8:00 am to 5:30 pm, Monday to Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hofsass Jeffery can be reached on 571-272-2981. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

*AVL*  
A. V. Lai  
October 29, 2004

*[Signature]*  
DANIEL WU  
SUPERVISORY PATENT EXAMINER  
10/31/04